

**In the
Indiana Supreme Court**

IN RE THE MARRIAGE OF)	Supreme Court No. 12S00-0510-SJ-462
)	
JACQUELINE (DAGGY) CLARK)	
)	
and)	
)	Case No. 12C01-8608-DR-317
DEAN C. CLARK)	in the Clinton Circuit Court

ORDER REMANDING JURISDICTION TO TRIAL COURT

Comes now the Hon. Linley E. Pearson, Judge of the Clinton Circuit Court, and pursuant to Ind.Trial Rule 79(H), certifies this matter here for the appointment of a special judge.

And this Court, being duly advised, now finds that jurisdiction of this matter should be remanded to the Clinton Circuit Court for Judge Pearson to assume jurisdiction or provide a basis for an appointment by the Court. Pursuant to Ind. Trial Rule 79(I) upon discontinuation of service by a special judge, the regular judge of the court where the case is pending shall assume jurisdiction except where the judge has previously served in the case or is otherwise ineligible to serve. The Chronological Case Summary does not reflect that Judge Pearson has ever served in this case and his Order does not reflect that he is otherwise ineligible to serve.

IT IS, THEREFORE, ORDERED that jurisdiction of this matter is remanded to the Clinton Circuit Court for Judge Pearson to assume jurisdiction or provide a basis for an appointment by the Court.

The Clerk of this Court is directed to forward notice of this Order to the Hon. Linley E. Pearson, Clinton Circuit Court, 355 Courthouse Square, Frankfort, IN 46041-1964, and to the Clerk of the Clinton Circuit Court.

The Clerk of the Clinton Circuit Court is directed to forward notice of this Order to all parties of record in the case below.

DONE at Indianapolis, Indiana, this _____ day of November, 2005.

Randall T. Shepard
Chief Justice of Indiana